

**POSITION ANNOUNCEMENT**  
**STANDING CHAPTER 13 BANKRUPTCY TRUSTEE**  
**NORTHERN DISTRICT OF ALABAMA NORTHERN DIVISION**

The United States Bankruptcy Administrator for the Northern District of Alabama invites applications from highly qualified applicants for appointment as Standing Chapter 13 Trustee for the Northern District of Alabama, Northern Division. The official duty station will be located in the Northern Division of the Northern District of Alabama. The Bankruptcy Court for the Northern District Northern Division of Alabama (hereinafter “the Court”) holds hearings in the cities of Decatur and Florence, Alabama, and elsewhere as may be required.

The duties of the position are comprehensive and demanding. The Standing Chapter 13 Trustee must comply with all provisions of the United States Bankruptcy Code and Rules, and with the instructions of the Court. The Trustee must cooperate fully with the Clerk of Court and with the United States Bankruptcy Administrator. The Trustee must meet the duties of a fiduciary requiring the diligent exercise of good faith and loyalty in the administration of estates in Chapter 13 cases under the Trustee’s supervision. Additionally, the Trustee must account for all property received, investigate the financial affairs of debtors, examine and object to the allowance of proofs of claim as appropriate, oppose the discharge of a debtor after confirmation of a plan as appropriate, furnish information relating to the estate and the estate’s administration requested by a party in interest, except as limited by the Court, and make and furnish such reports concerning the administration of estates and final accountings as may be required by the Court, the United States Bankruptcy Administrator, and the Administrative Office of the U.S. Courts. Further, the Trustee bears responsibility for managing the office, property and financial accounts of the trusteeship, and the personnel employed by the trusteeship. The Trustee must also appear and be heard at hearings before the Court, and must complete such other duties as may be required by the Court. Those duties include, but are not limited to, a review and recommendation regarding the Debtor’s Chapter 13 Plan, and the Debtor’s attorney’s fees, as proposed in the Plan. The Standing Chapter 13 Trustee is appointed by the court and serves at the discretion and instruction of the Court.

To be qualified for appointment, an applicant must:

1. be competent to perform the trustee’s duties;
2. if an individual, reside or have an office in the judicial district within which the case is pending, or in any judicial district adjacent to such district;
3. if a corporation, be authorized by such corporation’s charter or bylaws to act as trustee, and, have an office in the judicial district within which the case is pending, or in any judicial district adjacent to such district;
4. have integrity and good moral character;
5. be physically and mentally able to perform a trustee’s duties satisfactorily;
6. have no prejudices against any individual, entity, or group of individuals or entities that would interfere with unbiased performance of a trustee’s duties;

7. receive no financial benefit either directly or indirectly from debt counseling, credit counseling, financial management, debtor education, or prorating, with the following applicable definitions:
  - (A) “debt counseling” is a business engaged primarily in advising persons how to manage their debt, except as the counseling is provided in the ordinary course of an attorney-client relationship,
  - (B) “credit counseling,” “financial management,” and “debtor education” as those terms are described by 11 U.S.C. § 109(h) and used in 11 U.S.C. § 111 and 11 U.S.C. § 727(a)(11), and
  - (C) “prorating” is a business engaged in receiving money from an individual to make regular distributions to an individual’s creditors;
8. have no relation by affinity or consanguinity within the degree of first cousin, to a bankruptcy administrator, bankruptcy administrator’s employee, a federal judicial officer of that court; federal court employee of that judicial district; or a chapter 12 trustee, a chapter 13 trustee, or an active member of the chapter 7 panel serving the district.
9. not be employed at the time of appointment by the federal government or by state or local agencies that appear regularly before the bankruptcy court;
10. not be in business with a chapter 13 trustee, a chapter 12 trustee, or chapter 7 panel member serving the district;
11. have the resources to provide timely and accurate reports required by the Court, the Bankruptcy Administrator and the Administrative Office of the U.S. Courts;
12. have one or more of the following educational, professional, or business qualifications:
  - (A) be a member in good standing of each bar in which the applicant is a member;
  - (B) be a certified public accountant;
  - (C) be a graduate from an accredited college or university with a major in a business-related field of study;
  - (D) have five years of experience using skills required of a chapter 12 or 13 trustee, or
  - (E) have equivalent experience deemed acceptable by the Bankruptcy Court (exceptions should be made only when necessity is established), and

13. exhibit by demeanor, character and personality that the applicant would be able to competently perform and discharge the duties required;
14. barring occasional conflicts, the applicant is a “disinterested person” as defined by 11 U.S.C. § 101(14), having no professional relationships that would often disqualify the applicant, such as
  - (A) an applicant who is on retainer as counsel to a creditor or creditors who appear regularly before the bankruptcy court, or
  - (B) an applicant who is an executive officer of an organization composed principally of creditors who litigate regularly in the bankruptcy court.

The selection process will be confidential and competitive. The Court and the U.S. Bankruptcy Administrator will review all applications. Only the most qualified applicants may be selected for an interview. Applications must indicate that the potential nominee is willing to serve if selected. Persons will be considered without regard to race, color, gender, sexual orientation, religion or national origin. The Court will make the appointment subject to FBI and IRS Full Field Investigations of the appointee. The Court has statutory authority to make the appointment of a Standing Chapter 13 Trustee, who is considered to be a self employed individual for all purposes.

The annual compensation, and locality pay if applicable, and percentage fee for a Standing Chapter 13 Trustee will be established by the Court with the recommendation of the U.S. Bankruptcy Administrator. The annual compensation is subject to certain statutory limits. See: Federal Employees Pay Comparability Act of 1990 and Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986. The actual starting compensation, which may be lower than the statutory maximum, will be determined based upon the experience and qualifications of the appointee.

Applicants must submit a cover letter, resumé, salary history, and statement that, if selected, the applicant is willing to serve via email to both J. Thomas Corbett at [thomas\\_corbett@alnb.uscourts.gov](mailto:thomas_corbett@alnb.uscourts.gov) and Robin Smith at [robin\\_g\\_smith@alnb.uscourts.gov](mailto:robin_g_smith@alnb.uscourts.gov). Applications must be received no later than September 27, 2013. Applications received after that date will not be considered.